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# CONTINUED PROSECUTION APPLICATION (CPA)

## REQUEST TRANSMITTAL

NOV 24 1998

Submit an original and a duplicate for fee processing

(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

PATENT &amp; TRADEMARK OFFICE

Address to:

**Assistant Commissioner for Patents**  
**Box CPA**  
**Washington, D.C. 20231**

Attorney Docket No. 75657

First Named Inventor Jerry D. Hulse

Examiner Name G. Dawson

Group/Art Unit 3731

Express Mail Label No. EM19178155US

This is a request for a  continuation or  divisional application under 37 CFR 1.53(d) (continued prosecution application (CPA)) of prior application number 08/853,422 filed on May 22, 1997, entitled "Obstetrical Vacuum Extractor Cup with Soft Molded Lip".

**NOTES**

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either (1) complete as defined by 37 CFR 1.51(b) or (2) the national stage of an international application in compliance with 37 USC 371. Therefore, the prior application of a CPA may have been filed before, on, or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. No reference to the prior application is needed in the first sentence of the specification and none should be submitted.

1.  Enter the unentered amendment previously filed on August 31, 1998 under 37 CFR 1.116 in the prior nonprovisional application.
2.  A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application 37 CFR 1.53(d)(4).
  - a.  **DELETE** the following inventor(s) named in the prior nonprovisional application:
  - b.  The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.  A new power of attorney or authorization of agent is enclosed.
5.  Information Disclosure Statement (IDS) is enclosed, along with:
  - a.  PTO-1449
  - b.  Copies of IDS Citations
6. Small entity status
  - a.  A small entity statement is enclosed.
  - b.  A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
  - c.  Small entity status is no longer claimed.

**APPLICATION FEES**

BASIC FEE				\$760.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	21	-20=	1	x \$18.00 \$18.00
Independent Claims	6	- 3=	3	x \$78.00 \$234.00
<input type="checkbox"/> Multiple Dependent Claims(s) if applicable				+\$260.00 \$0
				Subtotal of application fees = \$1,012.00
				Reduction by 50% for filing by small entity = (\$ )

**Extension Fees**

<input checked="" type="checkbox"/> A one-month extension of time under 37 C.F.R. § 1.136 is requested.	\$110.00
<input type="checkbox"/> An extension for one-month has already been secured and the fee paid therefor of \$110.00 is deducted from the total fee due for the total amount of extension now requested.	\$
<input type="checkbox"/> No petition for an extension of time is necessary; to the extent that such petition is deemed necessary, a petition for a sufficient extension of time to render the present submission timely is requested. Please charge Deposit Account No. 12-1216 for the appropriate petition fee.	
Subtotal of extension fees =	\$110.00
TOTAL FEE =	\$1,122.00

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TELETECHNICAL CENTER 3700

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7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 12-1216:

- Filing fee in the amount of \$
- Any additional fees required under 37 CFR 1.16.
- Fees required under 37 CFR 1.17.

8. A check in the amount of \$1,122.00 is enclosed to cover the filing fee.

9. a.  Express Mail Post Office To Addressee Service Label No. EM19178155US (see Certificate of Mailing Under 37 CFR 1.10 below).

b.  Return Receipt Postcard (Should be specifically itemized)

10.  Other:

**NOTE:** The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

**11. NEW CORRESPONDENCE ADDRESS**

Pamela J. Ruschau, Registration No. 34242  
Leydig, Voit & Mayer, Ltd.  
Two Prudential Plaza, Suite 4900  
Chicago, Illinois 60601-6780  
Telephone: (312) 616-5600  
Facsimile: (312) 616-5700

**12. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name	Pamela J. Ruschau
Signature	
Date	November 24, 1998

**Certificate of Mailing Under 37 CFR 1.10**

I hereby certify that this Continued Prosecution Application Request Transmittal and all accompanying documents are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner for Patents, Box CPA, Washington, D.C. 20281

		November 24, 1998
Name of Person Signing	Signature	Date